IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3437 OF 2005

M/s.Triton Synthetic Fibres
Pvt. Ltd. and Ors. ..Applicants

Vs.

State of Maharashtra & Anr. ...Respondents

...

Mr.Ganesh Gole Advocate for Applicants
Mr.Rajesh More, A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE : JUNE 21 2005

P.C.

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicant is seeking quashing of process issued by the learned J.M.F.C. Ulhasnagar in S.C.C.No.2999 of 2004. The said case is under Sections 138 r.w. 141 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 8th June, 2005 in Cri.Application No. 645 of 2005 and order dated 13th June, 2005 in W.P.No. 213 of 2005, in my view, it is clear that the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my view, it would be appropriate that the applicants prefer a revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer the necessary revision before the concerned Sessions Court.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the matter on merits after hearing the necessary parties. As far as non-bailable warrants are concerned, stay granted by this Court is extended for a period of four weeks from today to enable the applicants to take necessary steps before the trial Court for setting aside the NBW. The applicants

are granted exemption from personal appearance before the trial Court for a period of four weeks from today.

6. Criminal Application is disposed of. Liberty is granted to the applicants to approach this Court in case of necessity.

[V.K.TAHILRAMANI,J.]